

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

In re:

BASIM I. KHOURY
aka IBASIM KHOURY
aka DASIM KHOURI,

Case No. 17-23597 (cgm)
Chapter 13

Debtor.

-----X

AFFIRMATION IN SUPPORT OF MOTION

I, Cleo F. Green, am an attorney duly licensed to practice law in the Courts of this State and in the United States Bankruptcy Court for the Southern District of New York and hereby state as follows:

1. This Affirmation is submitted under penalty of perjury in support of the motion of secured creditor PHH Mortgage Corporation (“PHH”) as servicer For Deutsche Bank National Trust Company, As Trustee For Soundview Home Loan Trust 2006-OPT2, Asset-Backed Certificates, Series 2006-OPT2, for the sole purpose of approving a permanent loan modification with respect to the real property located at 39 Burhans Avenue, Yonkers, NY 10701.

2. Basim I. Khoury, aka Ibasim Khoury, aka Dasim Khouri (the “Debtor”) filed a voluntary petition under Chapter 13 on October 18, 2017.

3. On November 4, 2005, the Debtor executed and delivered an Adjustable Rate Note (“Note”) and a Mortgage (“Mortgage”) securing payment of the Note in the amount of \$508,450.00 at rate of 8.500% per year with monthly payments of \$3,909.54.

4. On November 12, 2018, Debtor filed an Amended Plan indicating direct post-petition payments of PITI in the amount of \$2,152.98 to PHH.

5. On November 19, 2018, an Order Confirming Chapter 13 Plan was entered. [Dkt No. 27]

6. On November 10, 2020, an Order was entered approving debtor's loan modification agreement with PHH (the "2020 Loan Mod.") [Dkt. No. 37].

7. Subsequent to the approval of the 2020 Loan Mod, Debtor fell behind on five payments¹ and thus applied for and received a new loan modification (the "2022 Loan Mod.") from PHH which is annexed hereto as **Exhibit "A"**.

8. The following is a comparison chart of the 2020 Loan Mod. and the 2022 Loan Mod.

2020 Loan Mod.		2022 Loan Mod.	
New Principal Balance	\$330,725.60	Unpaid Principal Balance	\$336.994.03
Interest bearing balance	\$308,127.81	Interest bearing balance	\$336.994.03
Maturity Date	4/1/2036	Maturity Date	4/1/2036
Payment Due Date	9/1/2020	Payment Due Date	2/1/2022
Monthly Payment	2,127.31	Monthly Payment	\$2,247.27
Principal & Interest	\$933.09	Principal & Interest	\$1,020.50
Escrow	\$1,284.22	Escrow	\$1,226.77
Interest Rate	2.00%	Interest Rate	2.00%
Balloon payment	238,185.84 (215,588.05 interest bearing and 22,597.79 non-interest bearing)	Balloon payment	\$246,294.56 -interest bearing

9. Debtor's counsel requested the undersigned to obtain an Order approving the 2022 Loan Mod. .

¹ See Notice of Temporary Forbearance, Dkt No. 44, filed on June 8, 2021.

10. PHH respectfully requests that this Court approve the annexed Order and the Debtor's 2022 Loan Mod.. PHH represents to the Court that this settlement is a fair and equitable settlement of the matter, and this it is in the best interest of the bankruptcy estate.

Dated: Westbury, New York
August 9, 2022

**Robertson, Anschutz, Schneid, Crane &
Partners, PLLC**

Attorney for Secured Creditor
900 Merchants Concourse, Suite 310
Westbury, NY 11590
Phone: (516) 280-7675
Fax: (516) 280-7674

By: /s/ Cleo F. Green

Cleo F. Green, Esq.
Email: cleogreen@raslg.com